IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

Civil Application nO. 2545 OF 2005.

In

First Appeal (St) No. 8030 of 2000.

Karnataka Road Transport Corpn. ..Applicant.

Vs.

Ishwar Ramchandra Patil. .. Respondent.

Shri.C.M. Lokesh i/b G.S.Hegde
for the Applicant.

None for the Respondent.

CORAM: S.B.DESHMUKH,J.
DATED: 22ND AUGUST,2006.

P.C.:-

1] Heard the learned Counsel for the Applicant.

2] This Court by an order passed on 31st March, 2006 had issued Rule in this Civil Application. Despite the service none appears for the Respondent.

3] The Applicant is a Corporation who had requested its Advocate for applying Certified Copy of the Award on the date of Award itself.

Copies and papers from the Advocate were received by the Applicant-Corporation and thereafter proposal for filing of the Appeal was processed to the Head Office of the Applicant-Corporation. On the receipt of the approval from the Head Office, this Appeal is filed in this Court. In this process, according to the Applicant, delay of about 41 days is caused. There is no reply filed on behalf of the Respondent, controverting to the facts alleged in para no.2 of the Civil Application. It is not the case of inaction and/or negligence and mala-fides on the part of the Applicant. I am satisfied that delay occurred in filing First Appeal is satisfactorily explained.

4] Civil Application is, therefore, allowed and disposed of. Delay of about 41 days in filing the First Appeal is condoned.

[S.B.DESHMUKH,J.]